

House
REPUBLICAN
Conference

FloorPrep

Legislative Digest

Wednesday, May 3, 2000

J.C. Watts, Jr.
Chairman
4th District, Oklahoma

House Meets at 10:00 a.m. for Legislative Business

Anticipated Floor Action:

H.Res. __ - Providing for Consideration of Motions to Suspend the Rules
H.Con.Res. 295-Human Rights Violations and Oppression 25 Years After the
Fall of South Vietnam to the Communists
H.Res. 464-Expressing the Sense of Congress on Recognition of Israel's
Magen David Adom Society and Its Symbol the Red Shield
H.Con.Res. 304-Expressing Condemnation of Human Rights Violations
in the Republic of Belarus
H.R. 3879-Sierra Leone Peace Support Act of 2000
H.Res. 449-Congratulating the People of Senegal
S. 2323-Worker Economic Opportunity Act
H.R. 4055-IDEA Full Funding Act of 2000
H.R. 1729-Designating the Pamela B. Gwin Hall Federal Building
H.R. 1405-Designing the Donald J. Pease Federal Building
H.R. 1901-Designating the Kika de la Garza U.S. Border Station
H.R. 3069-Southeast Federal Center Public-Private
Development Act of 1999
H.R. 3313-Long Island Sound Restoration Act
H.R. 2957-Lake Ponchartrain Basin Restoration Act of 1999

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Bills Considered Under Suspension of the Rules

Floor Situation: The House will consider a resolution for consideration of motions to suspend the rules and the following 12 bills under suspension of the rules. Each is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

H.Con.Res. 295 requests that the President restate and make clear to the leadership of the government of the Socialist Republic of Vietnam (1) the firm commitment of the American people to political, religious, and economic freedom for the people of Vietnam and (2) that all people of Vietnam receive equal protection under the law regardless of religious belief, political philosophy, and socio-political association. The measure also urges the government of the Socialist Republic of Vietnam to: (1) cease violations of religious freedom as defined by the International Religious Freedom Act of 1998; (2) release all political prisoners and prisoners of conscience and; (3) abolish article 4 of the Vietnamese Constitution and repeal any and all laws, codes, and decrees prohibiting citizens rights to free expression, freedom of association, freedom of the press, and freedom to worship, and (4) formally commit to free and fair open elections allowing the people of Vietnam to choose their own government.

Finally, the measure commends the Vietnamese-American community for initiating an international memorial to American and South Vietnamese soldiers who died during the Vietnam War. At press time there was no CBO cost estimate available. Mr. Rohrabacher introduced the bill on March 29, 2000 and the International Relations Committee reported the bill by voice vote on April 13, 2000.

Res. 464 expresses the sense of Congress that the International Committee of the Red Cross and the Federation of the Red Cross and Red Crescent Societies should immediately recognize and grant full membership to the 70-year-old Israeli relief society the Magen David Adom Society. The measure also calls for the Red Shield of David to be accorded the same protection under international law as the Red Cross and Red Crescent. At press time the CBO had not released a cost estimate. Mr. Gillman introduced the bill on April 6, 2000 and the International Relations Committee reported the bill by voice vote on April 13, 2000.

H.Con.Res. 304 expresses the condemnation of the continued violations of human rights and the lack of democratic progress in the Republic of Belarus. The resolution calls on President Alyaksandr Lukashenka's regime to engage in negotiations with the representatives of the opposition and to restore the constitutional rights of the Belarusian people, while calling on the Russian Federation to respect the sovereignty of Belarus. It specifically urges the Lukashenka regime to (1) respect and ensure the human rights of all Belarusian citizens; and (2) hold legitimate, free and fair parliamentary elections in accordance with Organization for Security and Cooperation in Europe (OSCE) standards. This resolution supports the appeal by the Consultative Council of Belarusian opposition parties to the Government of the Russian Federation, the State Duma, and the Federation Council calling for a cessation of support for the Lukashenka regime.

The President of the United States is called on to (1) ensure assistance to and cooperation with Belarusian opposition figures; (2) raise the issue of financial support provided by the Russian Federation to the Lukashenka regime; and (3) urge the Government of the Russian Federation to fully respect the sovereignty of Belarus. Finally, the President is called on to prepare and transmit to the Congress a report on the human rights situation, democratic process, elections, independence of the media, and the Lukashenka regime's control of the economy in Belarus. This resolution was introduced on April 12, 2000, by Mr. Gejdenson *et al.* and was not considered by a committee.

H.R. 3879 authorizes a total of \$20 million dollars in direct assistance to the central government of Sierra Leone to support peace-building and democratization efforts. This includes support for the demobilization, disarmament and reintegration (DDR) program, assistance to strengthen the capacity of the judiciary and civil society, and to support the National Truth and Reconciliation Commission. For about the past ten years the country has been locked in civil war between the government of Sierra Leone and the rebel group

called the Revolutionary United Front (RUF). The two parties finally agreed to peace terms in the Lome accords and agreed to a cease fire on May 24, 1999. Since early February the country has had almost 11,000 UN peacekeepers on the ground.

Specifically, the bill authorizes: (1) \$13 million for FY 2001 to the Demobilization, Demilitarization and Reintegration (DDR) Trust Fund of the International Bank for Reconstruction and Development; (2) \$5 million in FY 2001 for assistance to rebuild the judiciary and support efforts to establish the rule of law and maintain order in Sierra Leone; (3) \$1.5 million for FY 2001 for the establishment and support of a Truth and Reconciliation Commission; and (4) \$500,000 for FY 2001 for the Bureau of Democracy, Human Rights and Labor of the Department of State to carry out data collection of human rights infractions.

H.R. 3879 provides expanded international military education and training assistance relating to defense management, civil-military relations, law enforcement cooperation and military justice. In addition, the bill requires the President to submit a report (no later than six months after enactment) to the House International Relations Committee regarding measurable, credible, and verifiable evidence concerning the extent to which neighboring countries are involved in the flow of arms to Sierra Leone as well as the illicit sales of Sierra Leonean gold and diamonds through neighboring countries. If any neighboring country is implicated in the report, then the Secretary of State will take steps to initiate diplomatic efforts to bring about the termination of the activities by the country. However, if after three months the cessation of activity has not occurred, the Secretary of State is directed to inform the country that U.S. foreign assistance may possibly be terminated or suspended if the country does not cease the proscribed activity. Finally, the bill states that the U.S. may provide assistance to neighboring countries if they have demonstrated support for the Lome Peace accords signed July 7, 1999 and do not provide training or other support for the RUF/AFRC forces or any other forces mentioned at the Lome Convention and cooperates with efforts to monitor arms flows into Sierra Leone. CBO estimates that implementing the bill will cost \$18 million over the next five years. The bill was introduced by Mr. Gejdenson, *et.al.* on March 9, 2000. The International Relations committee reported the bill by voice vote on April 13, 2000.

H.Res. 449 commends the Senegalese people and President Diouf for maintaining democracy in this historic Presidential election. This resolution encourages the Administration to send a Presidential delegation to Senegal to welcome President Wade into office. It encourages the Economic Community of West African States (ECOWAS) to follow Senegal's lead in promoting democratic reforms and preventing future conflicts, and calls for a cessation of hostilities among the factions of the Secessionist Movement of Democratic Forces in the Casamance (MFDC) rebel group in Casamance to create stability for the people. Additionally, the resolution calls on President-elect Wade to (1) involve all Senegalese people in accepting the election results, (2) continue the peace initiative started by former President Diouf with the MFDC, and (3) to dialogue with the MFDC to settle the Casamance conflict through political negotiations and urges prompt initiation of peace talks. Finally, it recognizes Senegal as one of the first African states to adopt a multi-party system in the early 1980's and a nation that has been a longtime beacon of democracy on a continent of one-party states and military dictatorships. The resolution was introduced on March 23, 2000, by Mr. Payne *et. al.* and passed the House Committee on International Relations by a voice vote.

S. 2323 amends the Fair Labor and Standards Act of 1938 (FLSA) to allow hourly employees to receive stock options and other types of equity ownership in their companies as upper level management has done for many years. Specifically, the bill amends the FLSA to exclude from the definition of "all remuneration" any profits made by hourly employees from the exercise of stock options. This change in current law permits all employees to participate fairly in stock purchase plans offered by many companies. The need

for this legislation originated in February, 1999, when the Wage and Hour Division of the U.S. Department of Labor issued an advisory opinion regarding stock options concluding that a stock option program of one employer did not meet any of the existing exemptions to the regular rate of pay regulations. This particular stock option program required employees to remain employed with the company for a period of time. This conditioning of the stock option benefit is not allowed under the current regular rate of pay exclusions. S. 2323 amends section 207(e) of the FLSA to clearly exclude stock option programs from the regular rate of pay provision and provides a safe harbor to employers so they will not be subject to liability because of any stock options or similar programs extended to employees in the past. An identical bill (H.R. 4182) was introduced by Mr. Cunningham *et. al.* on April 5, 2000 and was referred to the Committee on Education and the Workforce.

H.R. 4055 amends the Individuals with Disabilities Education Act (IDEA) to (1) authorize funding to reach the Federal Government's goal of providing 40 percent of the national average per pupil expenditure to assist states and local educational agencies with the excess costs of educating children with disabilities; and (2) authorize appropriations for IDEA part B programs of assistance for education of all children with disabilities, according to a \$2 billion consecutive yearly increase, beginning with \$7 billion for fiscal year 2001 and ending with \$25 billion for fiscal year 2010. Additional sums may be applied as necessary for each subsequent fiscal year. Providing a quality education for our children remains an important priority for Congress. Failing to meet the Federal Government's commitment to assist with the excess expense of educating a child with disability contradicts the goal of ensuring that children with disabilities receive a quality education. The bill was introduced by Mr. Goodling and was reported by the Committee on Education and Workforce by voice vote on April 12, 2000.

H.R. 1729 designates the Federal facility located at 1301 Emmet Street in Charlottesville, Virginia, as the Pamela B. Gwin Hall. In 1983 Pamela B. Gwin began her 15-year tenure as a prominent public policy professor at the Federal Executive Institute. She received her Ph.D. in Political Science from Duke University and was an active member of several political and social associations. In 1987 Gwin became Assistant Director of Academic Programs and implemented the Leadership for a Democratic Society Program. In addition, Dr. Gwin influenced the elegant design of the Virginia Study, the Alumni Lounge and the design and furnishing of the new Annex and library. Dr. Gwin continued to work for two years after receiving a heart transplant in 1996. Dr. Gwin died in 1998. H.R. 1729 was introduced by Mr. Goode on May 6, 1999 and was reported by the Committee on Transportation and Infrastructure by voice vote on April 11, 2000.

H.R. 1405 designates the Federal building located at 143 West Liberty Street, Medina, Ohio, as the Donald J. Pease Federal Building. Mr. Pease was born in Oberlin, Ohio in 1931. He received his B.S. in 1953 and M.A. in 1955 from the University of Ohio in Athens. Congressman Pease was a Fulbright scholar and continued his studies at Kings College, University of Durham, England. Mr. Pease served in the United States Army from 1955 until 1957. Upon returning to Ohio Pease worked for the Oberlin News-Tribune. Congressman Pease was first elected to public office in 1962 as a member of the Oberlin City Council. He served in the Ohio Senate from 1965 until 1976, when he was then elected to the 95th Congress. Congressman Pease was a member of the House International Relations Committee. In the 102nd Congress, his membership on the Ways and Means Committee earned him one of three seats on the Budget Committee. His efforts to work with both parties include service on the conference committee for the tax reform bill of 1986, and mediation between congressional leaders and

the Administration during the 1990 budget summit. After leaving Congress, Congressman Pease served as Visiting Distinguished Professor in Oberlin College's Department of Politics. H.R. 1405 was introduced by Mr. Brown on April 14, 1999 and was reported by the Committee on Transportation and Infrastructure by voice vote on April 11, 2000.

H.R. 1901 designates the U.S. border station located in Pharr, Texas, as the Kika de la Garza United States Border Station. Kika de la Garza was born in Mercedes, Texas, on September 22, 1927. He attended St. Mary's University in San Antonio, Texas, earning his law degree in 1952. He also served in the United States Navy from 1945 to 1946, and in the United States Army from 1950 to 1952. Congressman de la Garza was elected to the Texas House of Representatives in 1953. In 1965, he was elected to the U.S. House of Representatives serving the 15th Congressional District of Texas for 16 terms. Congressman de la Garza served as chairman of the Committee on Agriculture from 1982 to 1994. He was the first Hispanic American to serve as the chair of a major Congressional committee. As chairman, he compiled an impressive record of achievements and focused on issues concerning America's farming community. Under his leadership the Agriculture Committee was able to form a consensus on a number of important agriculture issues, including restructuring the United States Department of Agriculture. H.R. 1901 was introduced by Mr. Traficant on May 20, 1999 and was reported by the Committee on Transportation and Infrastructure by voice vote on April 11, 2000.

H.R. 3069 authorizes the Administrator of General Services (GSA) to enter into agreements with private entities to acquire, construct, rehabilitate, maintain or use facilities located on the Southeast Federal Center located in Washington, D.C. The bill requires any such agreement to be consistent with the objectives of a plan outlined by the National Capital Planning Commission. It requires the Administrator to report to specified congressional committees before entering into a final agreement. In addition, the measure requires a 30-day waiting period after such submission before the agreement may become effective. Any proceeds under an agreement are to be deposited into the Federal Buildings Fund established under the Federal Property and Administrative Services Act of 1949. CBO cost estimate was unavailable at press time. The bill was introduced by Mr. Franks and was reported by the Committee on Transportation and Infrastructure by voice vote on March 23, 2000.

H.R. 3313 reauthorizes funding for the Long Island Sound program and authorizes up to \$80 million per year for grants and studies to implement the Comprehensive Conservation and Management Plan (CCMP) for fiscal years 2000-2003. The bill requires EPA's Long Island Sound Office to assist and support a nitrogen credit trading program and any other cost-effective measures consistent with the CCMP provided under the existing authorities for the Clean Water Act, the laws of New York and Connecticut, and any other amendments to such authorities. The bill also authorizes states to provide additional financial relief, including the pardoning of principal loans to designated distressed communities from a state's clean water state revolving fund. The total amount of loan subsidies made by a state may not exceed 30 percent of the amount of the capitalization grant received by the state for the year. Long Island Sound is one of the estuaries in EPA's National Estuary Program (NEP) and EPA approved its comprehensive conservation and management plan (CCMP) in September 1994. NEP funding for the Long Island Sound has been approximately \$300,000 annually for the past several years. CBO estimates the implementation of this bill will cost \$237 million through FYs 2000-2005. The bill was introduced by Ms. Johnson on November 10, 1999 and was reported by the Transportation and Infrastructure Committee by voice vote on April 5, 2000.

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H.R. 2957— Lake Pontchartrain Basin Restoration Act of 1999

Floor Situation: Yesterday the Rules Committee granted an open rule that provides one hour of general debate equally divided between the chairman and the ranking member of the Committee on Transportation and Infrastructure. The rule makes in order a committee amendment in the nature of a substitute as base text that shall be open to amendment at any point and accords priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. The rule provides one motion to recommit with or without instructions.

Summary: H.R. 2957 amends the Federal Water Pollution Control Act (commonly known as the Clean Water Act) to establish a program for water quality restoration activities in Lake Pontchartrain Basin, Louisiana. The Administrator of the Environmental Protection Agency (EPA) is required to establish a Lake Pontchartrain Basin Restoration Program to restore the ecological health of the Basin by developing and funding restoration projects and related scientific and public education projects. Lake Ponchartrain Basin is identified as an estuary of national significance under the EPA's National Estuary Program and EPA is required to provide administrative and technical assistance to a management conference for the Basin convened under the National Estuary Program in section 320 of the Clean Water Act.

Finally, the measure authorizes appropriations to continue to supply priority funding for the New Orleans Inflow and Infiltration Project sponsored by the New Orleans Sewerage and Water Board and Jefferson Parish, Louisiana and to carry out this Act. CBO estimates that H.R. 2957 will cost \$108 million through FYs 2001-2005. The bill does not affect direct spending or receipts so pay-as-you-go procedures do not apply. The Transportation & Infrastructure Committee reported the bill by voice vote on April 11, 2000.

Views: The Republican Leadership supports passage of the measure. An official Administration position was unavailable at press time.

Amendments: The *Legislative Digest* was unaware of any amendments at press time.

Additional Information: See *Legislative Digest* Vol. XXIX, #11, April 28, 2000.

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